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nor an unmixed misfortune, the subject is of peculiar interest. By consequence, therefore, anything bearing even remotely on this topic is interesting, and it is to lawyers especially that Mr. Walton's book will appeal. It is not our purpose here to enter into an elaborate discussion of this valuable work, since space forbids. Suffice it to say that the book contains, besides an elaborate historical introduction and a translation of the Spanish Civil Code of 1889 (extended to Cuba, Puerto Rico and the Philippines), much supplementary matter of importance as well as the Spanish, Mexican, Cuban and Puerto Rican autonomic constitutions. Mr. Walton would seem peculiarly fitted for this work, being a Doctor of the University of Madrid, *Licenciate* (Bachelor) of the University of Havana and member of the bar of the District of Columbia and of that of the Supreme Court.

Passing by the historical introduction, which is exceedingly interesting as an illumination of comparative jurisprudence, we come to this statement on page 112: "If the conflicting differences between the local and common law, peculiar to Spain and which have little force in Cuba, Puerto Rico, and the Philippines, are eliminated from the Spanish Civil Code, and a few amendments in harmony with United States institutions are substituted for the provisions which relate to monarchical institutions, there would result, in the opinions of those familiar with the subject, a most excellent code suitable for the people of Puerto Rico and the Philippines." This is also the opinion of former Judge Howe, of Louisiana, writing in the *Yale Law Journal* for July. Manifestly such an arrangement would be advantageous even though the laws are not indigenous to the islands, if only because it would avoid the confusion which would necessarily ensue upon introducing our own common law in its entirety into them. It is to be noted, however, that neither our author nor Mr. Howe advocates the retention of the criminal code.

We are sure that Mr. Walton's book will be welcomed by students of law everywhere, involving as it does much new and hitherto generally inaccessible matter, and containing the fruits of much laborious research.

E. B. S., Jr.

THE AMERICAN LAW OF REPLEVIN AND KINDRED ACTIONS.
By ROSWELL SHINN, LL. D. Illinois College of Law, Chicago :
T. H. Flood & Co. 1899.

Probably no book on this subject shows traces of greater industry and research than this work by Professor Shinn. Not content with a statement of the common law principles of replevin and the statutory modifications generally followed throughout the United States, the author makes in many instances a detailed analysis of the peculiarities of statute and code provisions. His aim throughout is to present in a comprehensive way the whole body of American adjudications bearing on this important remedy. The experience derived in the production of his "American Law of Attachment

and Garnishment" was evidently of great assistance to him in collecting and arranging the materials embodied in this later publication. It is a book of large size, and contains three general divisions: 1. The Remedy, including a description of its nature, the parties thereto, and the property subject to it. 2. The Procedure, being an extensive treatment of the practice. 3. Actions arising from replevins, including the liability of sureties on either party's bond, review of replevin, action against the officer serving the writ, etc. It is entirely free from theoretical discussion and consists in great part of concise statements of points taken from a vast number of cases, each point being referred to by paragraph at the chapter heading, and in the body of the chapter emphasized by heavy type. This, in addition to a compendious index, makes it a valuable reference work. The author has wisely avoided the repetitions frequently incident to a treatise of this character by making many cross-references. He has also used the alphabetical order of arrangement. Thus, in considering the persons by and against whom the action may be sustained, he begins with the acceptor of a bill of exchange, and takes up in order administrator, assignee, attachment creditor, and all the legal relations which give the rights and impose the liabilities of the action. The same principle is applied in discussing the various kinds of personal property reached by replevin.

In opening his chapter on "The Proceedings" the author says, "It is my purpose to show the adjudication of the courts upon the different statutory requirements, as well as the requirements of the common law, and thereby to indicate, not only to the local practitioner, but to the general lawyer, the present state of the adjudications upon any particular statutory requirement, in whatever state or states such requirement may now be, or may have heretofore been enforced." Then follows a voluminous note in which the jurisdictional requirements as to the form and substance of the affidavit is given with encyclopedic completeness.

While in parts the book bears an analogy to a digest of cases, it possesses merit as a text-book for the student as well as for the practicing lawyer. It is written in a lucid and scholarly style. The general principles underlying the action of replevin are frequently restated to insure a thorough understanding of their application to new facts and legal relations. The history of the action is carefully traced from its original, crude and limited form in the old English law to its modern statutory development. Present-day differences between the English and American doctrine are pointed out. The author has not blindly followed the cases, but has made pointed criticisms where peculiar state decisions demanded criticism.

F. K. S.